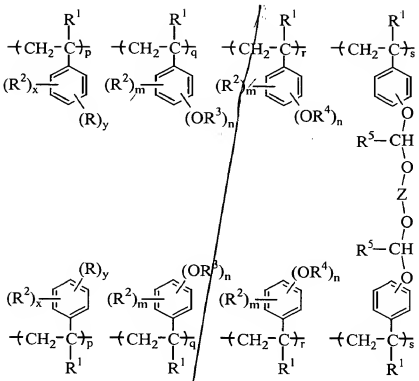
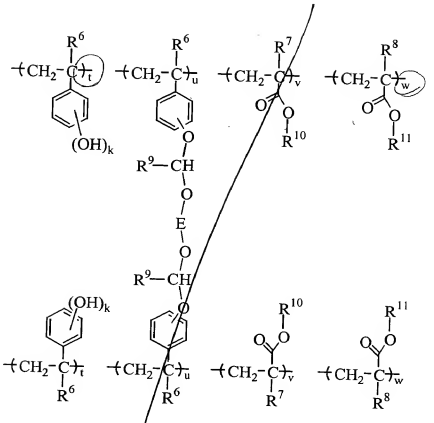


(1)

wherein R is a hydroxyl group or a OR^3 group, R^1 is hydrogen or methyl, R^2 is a straight, branched or cyclic alkyl group of 1 to 8 carbon atoms, R^3 and R^4 each are an acid labile group, R^5 is methyl or ethyl, Z is a straight, branched or cyclic alkylene group of 1 to 10 carbon atoms, x is 0 or a positive integer, y is a positive integer, satisfying $x+y \leq 5$, m is 0 or a positive integer, n is a positive integer, satisfying $m+n \leq 5$, p, q, r and s each are 0 or a positive number, satisfying $p+q+r+s = 1$, provided that q and r are not both 0,



(2)

wherein R^6, R^7 and R^8 each are hydrogen or methyl, R^9 is methyl or ethyl, E is a straight, branched or cyclic alkylene group of 1 to 10 carbon atoms, R^{10} is a straight, branched or cyclic alkyl group of 1 to 20 carbon atoms, which may contain an oxygen or sulfur atom, R^{11} is a tertiary alkyl group of 7 to 20 carbon atoms, k is 0 or a positive integer of up to 5, t and w each are a positive number, u and v each are 0 or a positive number, either one of u and v is not equal to 0, satisfying t+u+v+w = 1.

Add the following new claims:

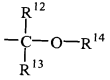
5. The composition of claim 1, wherein in formula (1), the acid labile groups R^3 and R^4 are independently selected from the group consisting of:

branched or cyclic, tertiary alkyl groups with 4 to 20 carbon atoms;

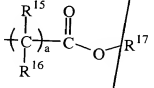
trialkylsilyl groups whose alkyl groups each have 1 to 6 carbon atoms;

oxoalkyl groups of 4 to 20 carbon atoms; and,

groups of the following formulae (3) and (4):



(3)



(4)

wherein,

R^{12} and R^{13} are independently hydrogen or straight, branched or cyclic alkyl groups of 1 to 18 carbon atoms,

R^{14} is a monovalent hydrocarbon group of 1 to 18 carbon atoms, which may have a hetero atom and in which some hydrogen atoms are replaced by hydroxyl, alkoxy, oxo, amino or alkylamino groups,

alternatively, a pair of R^{12} and R^{13}, a pair of R^{12} and R^{14}, or a pair of R^{13} and R^{14}, taken together, may form a ring, in which the pair is a straight or branched alkylene group of 1 to 18 carbon atoms.

R^{15} and R^{16} independently have the same definition as R^{12} and R^{13}, and

R^{17} is a straight, branched or cyclic alkyl group of 4 to 40 carbon atoms, a trialkylsilyl group whose alkyl groups each have 1 to 6 carbon atoms, or oxoalkyl group of 4 to 20 carbon atoms.

6. The composition of claim 1, wherein in the polymer of formula (1) p, q and r are positive numbers and p, q, r and s satisfy:

$$0 < (q+r)/(p+q+r+s) \leq 0.8, \text{ and}$$

$$0.01 \leq s/(p+q+r+s) \leq 0.1.$$

7. The composition of claim 1, wherein in the polymer of formula (2) t, u, v and w satisfy the ranges:

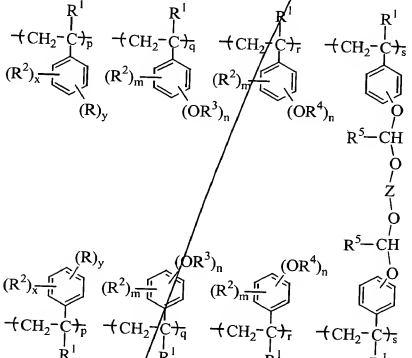
$$0 < w/(t+u+v+w) \leq 0.5;$$

$$0 \leq v/(t+u+v+w) \leq 0.2; \text{ and}$$

$$0 \leq u/(t+u+v+w) \leq 0.05.$$

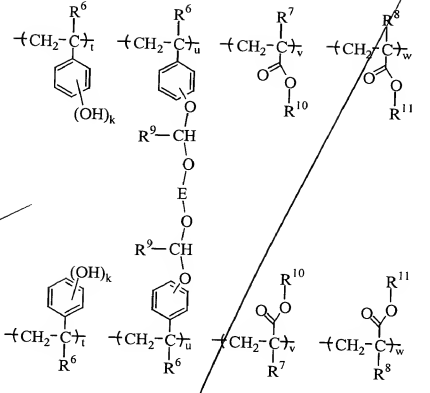
8. The composition of claim 1, wherein the polymers of formulae (1) and (2) each have a weight average molecular weight of 3,000 to 30,000.

9. A chemical amplification type resist composition comprising a polymeric mixture of a polymer comprising recurring units of the general formula (1) and having a weight average molecular weight of 1,000 to 500,000 and a polymer comprising recurring units of the general formula (2) and having a weight average molecular weight of 1,000 to 500,000,



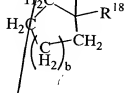
(1)

wherein R is a hydroxyl group or a OR^3 group, R^1 is hydrogen or methyl, R^2 is a straight, branched or cyclic alkyl group of 1 to 8 carbon atoms, R^3 and R^4 each are an acid labile group, R^5 is methyl or ethyl, Z is a straight, branched or cyclic alkylene group of 1 to 10 carbon atoms, x is 0 or a positive integer, y is a positive integer, satisfying $x+y \leq 5$, m is 0 or a positive integer, n is a positive integer, satisfying $m+n \leq 5$, p, q, r and s each are 0 or a positive number, satisfying $p+q+r+s = 1$, provided that q and r are not both 0,



(2)

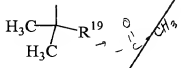
wherein R^6, R^7 and R^8 each are hydrogen or methyl, R^9 is methyl or ethyl, E is a straight, branched or cyclic alkylene group of 1 to 10 carbon atoms, R^{10} is a straight, branched or cyclic alkyl group of 1 to 20 carbon atoms, which may contain an oxygen or sulfur atom, R^{11} is a tertiary alkyl group selected from a group of the formulae (5) or (6):



(5)

wherein, R^{18} is a methyl, ethyl, isopropyl, cyclohexyl, cyclopentyl, vinyl, acetyl, phenyl or

cyano group, and b is an integer of 0 to 3, and



(6)

wherein, R^{19} is an isopropyl, cyclohexyl, cyclopentyl, vinyl, acetyl, phenyl or cyano group, and

k is 0 or a positive integer of up to 5, t and w each are a positive number, u and v each are 0 or a positive number, either one of u and v is not equal to 0, satisfying t+u+v+w = 1.

10. A chemical amplification type, positive resist composition comprising

(A) an organic solvent,

(B) the polymeric mixture of claim 9 as a base resin, and

(C) a photoacid generator.

11. A chemical amplification type, positive resist composition comprising

(A) an organic solvent,

(B) the polymeric mixture of claim 9 as a base resin,

(C) a photoacid generator, and

(D) a dissolution regulator.

12. The resist composition of claim 10, further comprising (E) a basic compound.

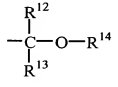
13. The composition of claim 9, wherein in formula (1), the acid labile groups R^3 and R^4 are independently selected from the group consisting of:

branched or cyclic, tertiary alkyl groups with 4 to 20 carbon atoms;

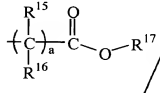
trialkylsilyl groups whose alkyl groups each have 1 to 6 carbon atoms;

oxoalkyl groups of 4 to 20 carbon atoms; and,

groups of the following formulae (3) and (4):



(3)



(4)

wherein,

R^{12} and R^{13} are independently hydrogen or straight, branched or cyclic alkyl groups of 1 to 18 carbon atoms,

R^{14} is a monovalent hydrocarbon group of 1 to 18 carbon atoms, which may have a hetero atom and in which some hydrogen atoms are replaced by hydroxyl, alkoxy, oxo, amino or alkylamino groups,

alternatively, a pair of R^{12} and R^{13}, a pair of R^{12} and R^{14}, or a pair of R^{13} and R^{14}, taken

together, may form a ring, in which the pair is a straight or branched alkylene group of 1 to 18 carbon atoms.

R^{15} and R^{16} independently have the same definition as R^{12} and R^{13}, and

R^{17} is a straight, branched or cyclic alkyl group of 4 to 40 carbon atoms, a trialkylsilyl group whose alkyl groups each have 1 to 6 carbon atoms, or oxoalkyl group of 4 to 20 carbon atoms.

14. The composition of claim 9, wherein in the polymer of formula (1) p, q and r are positive numbers and p, q, r and s satisfy:

$0 < (q+r)/(p+q+r+s) \leq 0.8$, and

$0.01 \leq s/(p+q+r+s) \leq 0.1$.

15. The composition of claim 9, wherein in the polymer of formula (2) t, u, v and w satisfy the ranges:

$0 < w/(t+u+v+w) \leq 0.5$;

$0 \leq v/(t+u+v+w) \leq 0.2$; and

$0 \leq u/(t+u+v+w) \leq 0.05$.

16. The composition of claim 9, wherein the polymers of formulae (1) and (2) each have a weight average molecular weight of 3,000 to 30,000.